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SENSITIVE
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STATE FOR VCI/CCA, EUR/PRA, EUR/RPM, SCA/CEN
JCS FOR COL NORWOOD
OSD FOR ISA (PERENYI)
NSC FOR DOWLEY

E.O. 12958: N/A

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SUBJECT: OPEN SKIES TREATY: MAY 5 OSCC PLENARY: RUSSIAN
ACCUSATION OF "DOUBLE STANDARD"

1. (SBU) Summary: At the May 5th Plenary of the Open Skies Consultative Commission (OSCC), Russia recalled a series of interventions by the U.S. and other delegations on April 14 that opposed Russia's request for a suspension of Open Skies missions in the last week of April due to the lack of accommodations. Russia accused these delegations of treating the Russian Federation unfairly and using a "double standard" in comparison to Latvia. Meanwhile, the draft decision on Revision One to Decision No. 7/07 that updates active quota distribution has been placed under silence procedure. The U.S. drew the States Parties' attention to the ongoing preparation effort to commemorate the completion of the 500th Open Skies observation flight. The Chairman of the Informal Working Group on Sensors (IWGS) issued a statement reporting the failure of the working group to agree to Revision One to Decision No. 14. Please see paragraphs 8 and 9 for guidance requests. End Summary.

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Plenary - You Guys Are Mean!
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2. (SBU) The U.S. (Neighbour) chaired the second meeting of the 46th Session of the OSCC. In response to interventions by the U.S. and others at the April 14 Plenary against Russian notification requesting no Open Skies mission activity during the last week of April (USOSCE 104, OSCC.DEL/4/08), the Russian representative (Kozlov) complained that the interventions were "over the top," unfair, and harsh. Kozlov stated that Russia knew their holiday request would impact the Turkish observation flight and as a result had made bilateral arrangement with Turkey on April 11 for an alternate overflight schedule. Additionally, to make up for the week of no activity, Russia agreed to host two observation flights simultaneously. Russia thought the intervention was excessive and inconsistent with the cooperative spirit of the Treaty.

3. (SBU) Recalling a Latvian request in June of 2006 for no Open Skies activity from November 15 to December 15 due to the NATO Ministerial, Kozlov wondered why no States Parties objected to Latvia's request at the time and accused the U.S. and others of "double-standard." Though annoyed at Russia's unexpected accusations, Turkey (Guc) confirmed to the Plenary that Russia and Turkey had successfully entered into a

bilateral arrangement that will compensate Turkey for the loss of opportunity during the last week of April.

500th Observation Flight - Let's Focus On The Positives

¶4. (SBU) Ignoring Russian provocation, the U.S. (Silberberg) drew the Plenary's attention to ongoing effort to commemorate the completion of the 500th observation flight due to take place on July 14th. Silberberg informed delegations that according to the U.S. flight tracker (OSCC.DEL/7/08), as of April 30, States Parties have completed 460 missions. He called on all to review the flight tracker and submit inputs as necessary to keep it accurate. Additionally, Silberberg thanked delegations for their support and participation in a brainstorming meeting held on April 15 to plan for the commemoration. He also thanked the OSCE Press and Public Information Section for their offer of assistance to the OSCC to organize this important event. Silberberg asked delegations to review the summary report detailing the discussion (OSCC.DEL/6/08) and to join the U.S. at the next informal meeting to be held in mid-May.

¶5. (SBU) To formalize the U.S.)- Georgian and the U.S.)- Poland shared observation flight agreements, the U.S. had submitted to the Plenary for adoption revision one to the 2008 active quotas distribution decision (OSCC.DD/2/08). Because Kiev had not sent instructions, the Ukrainian Delegation could not join consensus. As a result, the Chairman placed the draft decision for adoption under silence procedure due to expire on May 13.

Sensors - Not Going Anywhere Fast

¶6. (SBU) The U.S. (Silberberg) delivered the Informal Working Group on Sensors (IWGS) Chairman's Report to the Plenary (OSCC.SEN/6/08). IWGS Chairman (Simmons) reported that the most recent draft of Revision One to Decision 14 could not be moved forward because not all States Parties have agreed to it. Simmons is currently coordinating with other IWGS delegations to determine dates for the next meeting.

¶7. (SBU) Russia and Turkey reported their flight activities as well as flights conducted in their countries. All observation flights were conducted in accordance with provisions of the Treaty and in the spirit of cooperation. Additionally, Germany (Ratzlaff) announced that it will coordinate the 2009 active quotas distribution meetings which will be held on October 9-10 of this year. The next Plenary will be on June 2 under the U.S. Chairmanship.

IWGRP - If It's Not Broken...Don't Fix It

¶8. (SBU) Immediately following the Plenary, the Russian Federation chaired the Informal Working Group on Rules and Procedures. The main topic up for discussion were Russia's food for thought paper and draft decisions on alternate airfields (OSCC.RP/1/08, OSCC.RP/2/08, OSCC.RP/3/08, OSCC.RP/5/08). Slovakia (Jancovic) made the only intervention of the meeting stating that designating alternate airfields would be hard in advance of an observation mission. Additionally, he feared that designating alternate airfield would limit the freedom of the aircraft commander, perhaps leading to an unsafe situation (OSCC.RP/7/08). In short, Slovakia would prefer to use the current Open Skies Treaty and the existing relevant documents. The Russian Chairman (Kozlov) hoped for more comments and discussion at the next working group meeting to be held on May 19. USDEL requests guidance from Washington on the Russian proposals as soon as possible.

AOB - The Exchange of Letters and the UK...Still Going...

¶9. (SBU) Prior to the Plenary, Russian representative (Kozlov) delivered to USDEL Russia's version of the "Exchange of Letters." USDEL have sent the document (Russian text and unofficial English translation) to VCI/CCA for interagency review. Request further guidance for USDEL to deliver to the Russian Delegation in order to complete this bilateral agreement.

¶10. (SBU) Following the Plenary, UK representative (MacLeod) informed USDEL (Neighbour/Duong) that the UK has not made a final decision whether to continue Open Skies active observation flights. The UK Joint Arms Control Implementation Group (JACIG) is reviewing its options for limited active observation flight activities. MacLeod also expressed appreciation for the recent U.S. demarche requesting the UK to continue conducting active observation flights.

¶11. (SBU) The Netherlands, on behalf of the BENELUX group of States Parties, delivered to USDEL their response to a U.S. note verbale in active quota (STATE 22230 - Active Quota Clarification Note Verbales). In the reply, BENELUX explained the arrangement they had with Hungary and Russia during BENELUX's observation flight over Bosnia-Herzegovina. They emphasized that the observation flight was held in full accordance with the rules and regulations of the Treaty. The BENELUX letter has been sent to VCI/CCA.

FINLEY